

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

IRA SCHUMAN, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

VISA U.S.A., INC., INCOMM FINANCIAL  
SERVICES, INC., and PATHWARD, N.A.,

Defendants.

Civil Action No.: 1:24-cv-00666-GWH

**NOTICE OF MOTION FOR LEAVE TO  
FILE SECOND AMENDED  
COMPLAINT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, dated June 28, 2024, and exhibits thereto, and all pleadings and proceedings previously had herein, Plaintiff Ira Schuman (“Plaintiff”), through his undersigned counsel, will hereby move this Court, at the United States Courthouse, at a date and time to be determined by the Court, for an Order granting Plaintiff leave to file the attached Second Amended Complaint to withdraw his claim under the federal Electronic Fund Transfer Act pursuant to Rule 15 of the Federal Rules of Civil Procedure.

Dated: June 28, 2024

**WOLF POPPER LLP**

By: Patricia I. Avery

Patricia I. Avery  
Philip M. Black  
Timothy D. Brennan  
845 Third Ave.  
New York, NY 10022

212-759-4600

pavery@wolfpopper.com

pblack@wolfpopper.com

tbrennan@wolfpopper.com

*Attorneys for Plaintiff and the Putative  
Class*